

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

AGUSTIN GUTIERREZ VALENCIA,
ROSALIO REYNOSO ARELLANO, and
IVAN SANTOS ARELLANO,

Defendants.

CASE NO. 2:22-cr-00151-LK

ORDER GRANTING MOTION
FOR SCHEDULING ORDER TO
GOVERN THIRD-PARTY CLAIMS

This matter comes before the Court on the Government's Motion for Scheduling Order to Govern Third-Party Claims. Dkt. No. 318. The Government requests that the Court issue a scheduling order governing ancillary proceedings arising from claims to five preliminarily forfeited firearms in this case. *Id.* at 2; *see also* Dkt. Nos. 303, 304, 305 (preliminary orders of forfeiture); Dkt. Nos. 307, 314, 315, 316, 317 (claims). No party or claimant has responded to the motion.

The Government seeks a scheduling order to govern the following claims:

- (i) John L. Ogletree's claim asserting an interest in the preliminarily forfeited Glock 20 Gen 4 Pistol, bearing serial number BLNP708 (Dkt. No. 307);
- (ii) Jeremy L. Yama's claim asserting an interest in the preliminarily forfeited Tavor X95 rifle, bearing serial number T1002558 (Dkt. No. 314);
- (iii) Merissa Murner's claim asserting an interest in the preliminarily forfeited Springfield XDS9 pistol, bearing serial number S3645715 (Dkt. No. 315);
- (iv) Paul Joseph Au-France's claim asserting an interest in the preliminarily forfeited American Tactical Omni Hybrid Multi-Cal rifle, bearing serial number NS253683 (Dkt. No. 316); and
- (v) Tyler Jacobson's claim asserting an interest in the preliminarily forfeited CZ P-09 9mm pistol, bearing serial number B505763 (Dkt. No. 317).

Dkt. No. 318 at 2.

Courts may permit discovery and entertain motions related to a third-party claim pursuant to Federal Rule of Criminal Procedure 32.2(c)(1). To the extent an evidentiary hearing on a third-party claim is required, courts conduct those hearings pursuant to 21 U.S.C. § 853(n)(2) and (4)–(6). The Court, having reviewed the Government's motion as well as the other papers and pleadings filed in this matter, including the above-listed claims, Dkt. Nos. 307, 314, 315, 316, 317, hereby finds that entry of an order setting a discovery schedule and a motions deadline is appropriate.

NOW, THEREFORE, THE COURT ORDERS:

- 1) The Government's Motion is GRANTED, Dkt. No. 318;
- 2) The Government and the claimants may engage in discovery related to the above-listed claims. The discovery period closes on **December 2, 2025**; thereafter, they shall file any dispositive motions no later than **January 12, 2026**; and

1 3) If necessary, an evidentiary hearing will be scheduled and held on the above-listed
2 claims.

3 4) The United States shall serve this Order on the above-listed claimants via certified mail
4 and file proofs of service with the Court no later than 14 days from the date of this
5 Order.

6 The Court also notifies the claimants that to file motions, responsive briefing, or other
7 appropriate submissions with the Court, they may either (1) mail them to the Court at U.S. District
8 Court, 700 Stewart Street, Seattle, WA, 98101 with the case numbers for this case (2:22-cr-00151-
9 LK) on all documents, or (2) sign up to file electronically by contacting the CM/ECF Support
10 Team and following their instructions. The claimants can reach the CM/ECF Support Team by
11 phone at (206) 370-8440, option#2, or by email at cmecf@wawd.uscourts.gov.

12 Dated this 16th day of July, 2025.

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Lauren King
15 United States District Judge
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